

1 COOLEY GODWARD KRONISH LLP  
 2 STEPHEN C. NEAL (No. 170085) (nealsc@cooley.com)  
 3 RICARDO RODRIGUEZ (No. 173003) (rr@cooley.com)  
 4 MICHELLE S. RHYU (No. 212922) (mrhyu@cooley.com)  
 5 Five Palo Alto Square  
 3000 El Camino Real  
 Palo Alto, CA 94306-2155  
 Tel: (650) 843-5000  
 Fax: (650) 857-0663

6 Attorneys for Plaintiff and Counterclaim Defendant,  
 7 THE BOARD OF TRUSTEES OF THE LELAND STANFORD  
 JUNIOR UNIVERSITY and Counterclaim Defendant THOMAS  
 8 MERIGAN

9  
 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN FRANCISCO DIVISION

13 THE BOARD OF TRUSTEES OF THE  
 14 LELAND STANFORD JUNIOR  
 UNIVERSITY,

15 Plaintiff,

16 v.

17 ROCHE MOLECULAR SYSTEMS, ET AL.,

18 Defendants.

Case No. C 05 04158 MHP

**[PROPOSED] ORDER GRANTING  
 COUNTERCLAIM DEFENDANTS  
 STANFORD UNIVERSITY, DR. MERIGAN  
 AND DR. HOLODNIY'S ADMINISTRATIVE  
 REQUEST TO FILE ITS MOTION FOR  
 SUMMARY JUDGMENT AND  
 CONFIDENTIAL EXHIBITS TO THE  
 DECLARATION OF MICHELLE S. RHYU IN  
 SUPPORT OF MOTION FOR SUMMARY  
 JUDGMENT UNDER SEAL**

20 ROCHE MOLECULAR SYSTEMS, ET AL.,

21 Counterclaimants,

22 v.

23 THE BOARD OF TRUSTEES OF THE  
 24 LELAND STANFORD JUNIOR  
 25 UNIVERSITY; THOMAS MERIGAN AND  
 26 MARK HOLODNIY

27 Counterclaim Defendants.

1 Having reviewed the submissions relating to Stanford University, Dr. Merigan and Dr.  
2 Holodniy's Administrative Request Pursuant to Civil Local Rules 7-10 and 79-5 relating to Filing  
3 Material Under Seal, and good cause appearing therefore,

4 IT IS HEREBY ORDERED that:

5 Stanford University, Dr. Merigan and Dr. Holodniy's Administrative Request to File  
6 Under Seal Its Motion for Summary Judgment and Confidential Exhibits to the Declaration of  
7 Michelle S. Rhyu in Support of the Motion for Summary Judgment is GRANTED;

8 IT IS FURTHER ORDERED that the Clerk of the Court is directed to allow Stanford  
9 University to file under seal the following pleadings and materials:

- 10 1. Stanford University, Dr. Merigan and Dr. Holodniy's Motion for  
11 Summary Judgment;
- 12 2. Exhibit 7 of Declaration of Michelle S. Rhyu in Support of Counterclaim  
13 Defendants Stanford University, Dr. Merigan, and Dr. Holodniy's Motion  
14 for Summary Judgment;
- 15 3. Exhibit 681 of Declaration of Michelle S. Rhyu in Support of  
16 Counterclaim Defendants Stanford University, Dr. Merigan, and Dr.  
17 Holodniy's Motion for Summary Judgment.

18  
19 **IT IS SO ORDERED.**

20  
21 Dated: \_\_\_\_\_

\_\_\_\_\_  
22 HON. MARILYN HALL PATEL  
23 United States District Court Judge

24  
25 739926 v1/PA  
26  
27  
28